

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

EUGENE WATSON, :  
Plaintiff :  
v. : Case No. 3:08-cv-191-KRG-KAP  
MICHAEL CATALANO, JEFFREY BEARD, :  
and RICHARD ELLERS, :  
Defendants :

MEMORANDUM ORDER

The plaintiff's partial motion for reconsideration of the dismissal of his mail fraud claims, docket no. 15, was referred to Magistrate Judge Keith A. Pesto for proceedings in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(3).

The Magistrate Judge filed a Report and Recommendation on October 8, 2008, docket no. 16, recommending that plaintiff's motion be denied. The parties were notified that pursuant to 28 U.S.C. § 636(b)(1), they had ten days to serve and file written objections to the Report and Recommendation. Plaintiff filed timely objections, docket no. 17, which repeat the flaws of the original complaint.

Upon de novo review of the record of this matter, the Report and Recommendation, and the objections thereto, the following order is entered:

AND NOW, this 27<sup>th</sup> day of October 2008, it is

ORDERED that plaintiff's motion for reconsideration, docket no. 15, is denied. The Report and Recommendation is adopted as the opinion of the Court.

BY THE COURT:

A handwritten signature in black ink, appearing to read "Kim R. Gibson", written over a horizontal line.

KIM R. GIBSON,  
UNITED STATES DISTRICT JUDGE

Notice by ECF to counsel of record and by U.S. Mail to:

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